

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
ANTONIO MOJICA,

Plaintiff,

-against-

HEIDELBERG USA, INC.,

Defendant.  
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USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
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DATE FILED: 8/19/08

08 Civ. 4500 (GEL)

**ORDER**

GERARD E. LYNCH, District Judge:

Plaintiff moves for leave to amend the complaint to both add a new defendant and to increase his claim for punitive damages by tenfold from \$5 million to \$50 million. Defendant opposes the motion solely as to the latter proposed amendment.

Having carefully considered the parties' submissions, it is hereby ORDERED that plaintiff's motion for leave to amend the complaint is granted with respect to the addition of a new defendant, but denied as to the proposed increase in punitive damages. See Friedman v. New York City Dep't of Housing and Dev. Admin., 688 F. Supp. 896, 900 (S.D.N.Y. 1988) (denying request to amend damages claim because "[p]laintiffs have articulated no basis upon which the amendment might be justified"). Plaintiff is directed to file an Amended Complaint consistent with this order by August 29, 2008.

SO ORDERED:

Dated: New York, New York  
August 19, 2008

  
GERARD E. LYNCH  
United States District Judge